

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA)	
)	
)	Case No. 1:04CR00071
)	
v.)	OPINION
)	
RANDY SCOTT RADER,)	By: James P. Jones
Defendant.)	United States District Judge
)	

Randy Scott Rader, Pro Se Defendant.

On June 16, 2006, I had sentenced defendant Randy Scott Rader to 240 months' imprisonment (ECF No. 109), and on February 2, 2015, I dismissed Rader's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255. *United States v. Rader*, No. 1:04CR00071, 2015 WL 418726, at *1 (W.D. Va. Feb. 2, 2015). More than a year later, Rader has filed another Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 (ECF No. 196) based on a change in case law. Because Rader has not shown that the United States Court of Appeals for the Fourth Circuit has authorized him to file a successive § 2255 motion, the § 2255 motion must be dismissed without prejudice as successive pursuant to 28 U.S.C. § 2255(h). Rader's related motion to appoint counsel must be denied as moot because counsel was already appointed pursuant to Standing Order 2015-5.

DATED: July 13, 2016

/s/ James P. Jones
United States District Judge